

### **REMARKS**

Applicant respectfully requests reconsideration. This amendment supplements the amendment submitted July 15, 2004. Currently, claims 1-17 are pending for examination with claims 1, 6 and 13 being independent claims. No new matter has been added. The substance of that interview is summarized herein.

Applicants thank the Examiner for his time in conducting an interview on September 1<sup>st</sup>. During that interview the Peshman reference was discussed. Amendments to the independent claims were also discussed during that interview. The substance of that interview is discussed. While the Examiner did not expressly state the claims would be allowed, the undersigned understood the Examiner's position to be that claims in the form presented herein distinguished over the art of record.

### **Objections to the Specification**

The Examiner objected to page 11, line 31 in the Office Action of April 15, 2004. Changes to the specification in the amendment of July 15, 2004 should address the issues with the specification.

### **Rejections under 35 U.S.C. §112**

The Examiner has rejected claim(s) 1, 5, 6 and 10 under 35 U.S.C. §112. The Examiner states that all described embodiments in the specification detect explosives using x-rays, but the claims are not limited to detection using x-rays. Applicant's respectfully submit that limiting the claims to detection systems that employ x-rays is not necessary.

X-ray detection is described as a preferred embodiment. However, the application expressly states, such as at page 15, lines 28 to page 15, line 20 that the described embodiment is only an example. There is no requirement that claims must recite the details of the preferred embodiment. It is a widely accepted patent practice to disclose a specific example embodiment, but to present claims that describe the invention in more generic terms. The MPEP supports this position. See for example the discussion of *In re Rasmussen*, 650 F.2d 1212 (CCPA 1981), and

other similar cases addressed in Section 2163.05 [I] of the MPEP. Accordingly, withdrawal of the rejection of claim(s) 1, 5, 6 and 10 under 35 U.S.C. §112 is respectfully requested.

Rejections Under 35 U.S.C. §102

In the Office Action of April 15, 2004, the Examiner rejected the claims based on U.S. Patent No. 5,367,552 to Peshman. Applicants respectfully disagree that Peshman teaches all of the limitations of any of the claims.

Peshman shows a detection system in which data from a CT scanner is processed in an object detection system 26 (Col 1, lines 45-59). As shown in FIG. 1A of the reference, object detection system 26 is connected to the scanner through an SBUS. Applicants have attached an excerpt from a website describing the term “SBUS” to demonstrate that an SBUS is not a network as recited in the claims. The reference does show a network connected to object detection system 26. However, this network provides data to a 3D reconstruction computer (94) to display images of the item under inspection. Peshman does not show or suggest using the network to connect the scanning device to the object detection system.

Accordingly, Peshman does not show or suggest the features of the claims. More specifically, the reference does not show or suggest “an external computer, located remotely from the device, that receives the information over the network and implements an algorithm to make a threat determination” as in claim 1. Similarly, the reference does not show or suggest “transmitting the information over a network to an external computer, located remotely from the device” as in claim 6, nor a “computer configured to receive the information over the network and to execute algorithms that detect potential target objects within the item under inspection” as in claim 13.

Given the large amount of data generated by a scanning device, there is no teaching in the prior art that would have been motivation for one skilled in the art to construct a system according to the claims. Rather, one of skill in the art would have been motivated to construct the system as shown in Peshman, without using a network to connect the scanning device to a computer that implements algorithms to detect potential target objects.

Accordingly, withdrawal of this rejection is respectfully requested.

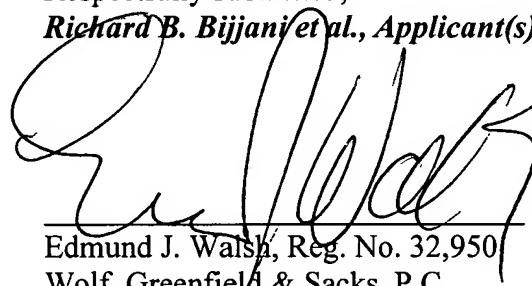
**CONCLUSION**

In view of the foregoing amendments and remarks, this application should now be in condition for allowance. A notice to this effect is respectfully requested. If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is requested to call the undersigned at the telephone number listed below.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

Respectfully submitted,  
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Docket No. L0632.70001US03  
Date: September 16, 2004  
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Attachment

<http://www.sparcproductdirectory.com/sbus-etc.html#SBus>

(downloaded August 4, 2004):

## **SBus in SPARC systems.**

**SBus is currently (Q3 1997) the most important expansion bus available in SPARC systems. It's used in most of the installed base, and appears in over 70% of current models.**

SBus was originally developed by Sun Microsystems. To encourage its widespread adoption Sun used a "feeless" licensing strategy and put the specification in the public domain. It was later adopted as IEEE standard P1496.

SBus is a mezzanine bus designed to give low cost I/O expansion in workstations. It is not used outside the SPARC systems market. Originally specified as a 32 bit bus, the performance has been extended by D64 operation and clock doubling to a throughput capability of 200M bytes/second.

In the history of SBus over 250 manufacturers have introduced production models of cards and systems using SBus. Since 1992, these products and suppliers have been listed in the SBus Product Directory, which was renamed in 1996 the SPARC Product Directory. *To get an idea of the range of products available click on SBus cards in the SPARC Product Directory*

**Outlook for SBus.** The applications legacy of over 1,000 types of SBus product from over 250 manufacturers in 3,000,000+ systems means that SBus will continue as a prime contender in most SPARC user sites during the next few years. However, its role in new high performance SPARC systems is getting displaced by PCI.